a) 0-10.3% of the diltiazem is released after 1 hour;

b) 0-11.3% of the diltiazem is released after 10 hours;

c) 0-13.1% of the diltiazem is released after 12 hours;

d) 14.5% to 24.5% of the diltiazem is released after 14 hours; and

e) 51% to 61% of the diltiazem is released after 14 hours.

REMARKS:

Because the pending claims are similar to those allowed in the parent applications Serial No. 09/287,904, now U.S. Patent 6,033,687, and Serial No. 09/447,642, and are distinguishable from the prior art for many of the reasons set forth in that application, Applicants submit that the application is in condition for allowance.

Applicants have also submitted a terminal disclaimer to obviate any double patenting rejections that may arise.

All pending claims have been canceled without prejudice and new claims 91 to 101 have been added to the application. Claims 91-94 are independent claims. Support for the subject matter of Claims 91-101 is in the present application and in the application as originally filed, U.S. application Serial No. 08/369,100. (*See, e.g.,* pages 5-13, 18 and Example 1 of the present application, and pages 5-13, 15-17 and Example 1 of the original application Serial No. 08/367,100).

Specifically, support for the long lag pellet is found at page 9, lines 1-7 of both the present application and original application Serial No. 08/367,100. Support for the release rates recited in Claims 91-101 is found in the present application at pages 6 and

18 (Table 1) disclosing dissolution profiles for long lag pellets, and pages 6 and 17 (Table 1) of the original application Serial No. 08/367,100 disclosing dissolution profiles for long lag pellets. Support for the mixture of two pellet types recited in Claims 91-101 is found on page 9 of the both the present application and the original application Serial No. 08/367,100.

Moreover, the article provided in the Information Disclosure and cited as FDA Guidance For Industry at pages 16-18 evidences that one of ordinary skill, looking at the written description in the specification, the values in Table I and Figure I, would recognize that dissolution ranges plus or minus 10 percent are described and encompassed.

Respectfully submitted,

Dated: November 22, 2000

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